

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

February 6, 2012 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Chad Mitchell, Chairman
Carl Ford, Vice-Chairman
Jon Barber, Member
Raymond Coltrain, Member
Jim Sides, Member

County Manager Gary Page, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Mitchell convened the meeting at 3:00 pm.

Commissioner Sides provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the minutes of the January 17, 2012 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

There were no additions to the agenda.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the agenda passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Ford made a motion to remove item B from the Consent Agenda to the next meeting due to the Board receiving additional information on the matter just prior to the meeting. The motion was seconded by Commissioner Sides and passed unanimously.

Commissioner Sides moved approval of the Consent Agenda (with the removal of item B). The motion was seconded by Commissioner Barber and passed unanimously.

The Consent Agenda consisted of the following:

- A. EMS Division Training Grant Acceptance
- B. EMS Surplus Equipment Recommendation Request (pulled from agenda)
- C. Rowan Public Library Book Sale
- D. Set Public Hearing for March 5, 2012 for ZTA 02-11

2. PUBLIC COMMENT PERIOD

Chairman Mitchell opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. With no one coming forward Chairman Mitchell closed the Public Comment Period.

3. CONSIDER REQUEST TO SET PUBLIC HEARING

Economic Development Director Robert Van Geons requested the Board to set a public hearing for February 20, 2012 to consider an investment grant request from "Project Protein". The proposed project would represent approximately \$22 million of new investment for an existing industry and add an additional 154 workers in Rowan County.

Commissioner Sides said in order to better understand the purpose of scheduling the public hearing, it was important for the Board to have the economic impact analysis. Commissioner Sides said he would rather have the information now to have ample time to review the material.

Mr. Van Geons said it would be tough to meet the agenda deadline due to the amount of information compiled in an economic impact study. Mr. Van Geons said he could definitely prepare the summary in advance.

Commissioner Coltrain moved to set the public hearing for February 20, 2012 as requested. The motion was seconded by Commissioner Barber.

Mr. Van Geons confirmed to Commissioner Barber the company was an existing, homegrown industry in Rowan County.

Commissioner Barber said the Board should do all it could to help the local, homegrown businesses expand. Commissioner Barber said at some point he would like to see recommendations from the Economic Development Commission's Board of Directors for a plan to help businesses that did not meet the threshold of the investment grant policy.

Upon being put to a vote, the motion to set a public hearing for February 20, 2012 for Project Protein passed unanimously.

4. PUBLIC HEARING FOR CDBG APPLICATION

Planning and Development Director Ed Muire said the Planning Department anticipated submitting an application to the North Carolina Department of Commerce's Division of Community Investment Assistance for a Community Development Block Grant (CDBG) in the amount of \$400,000. Mr. Muire said a public hearing was required as a component in the process for any CDBG program the County may choose to apply for during the next twelve (12) month period.

Mr. Muire said the application would focus on Scattered Site Housing and eligible activities included emergency repair, rehabilitation; demolition and relocation. Mr. Muire said the public hearing provided notice that the County was applying for the Scattered Site Housing program and also offered the ability to apply for other CDBG grants available through Community Investment Assistance programs.

Mr. Muire explained that in the time period following the public hearing, applications for owner-occupied housing would be accepted until February 10, 2012. Mr. Muire said homes would then be evaluated and a selection committee composed of Planning Staff and one (1) member from each municipal jurisdiction (except Kannapolis and Salisbury) would rank the candidate's homes. Mr. Muire said the selection committee's recommendations would be forwarded to the Commissioners for consideration at another public hearing. Following the second public hearing, specific to the program, the homes would be included in the application submitted to the Division of Community Investment Assistance.

In response to an inquiry from Chairman Mitchell, Mr. Muire said the information had been advertised and would continue to be advertised until February 10, 2012.

Chairman Mitchell opened the public hearing to entertain citizen input regarding the CDBG application. With no one wishing to address the Board, Chairman Mitchell closed the public hearing.

5. PUBLIC HEARING FOR HOME ACTION PLAN

Planning & Development Director Ed Muire reported that he had received additional information prior to the Board meeting regarding the figures for the

HOME Action Plan (Plan). Mr. Muire continued by saying as a member of the Cabarrus/Rowan/Iredell HOME Consortium, Rowan County anticipated receiving approximately \$145,000 in project funds for FY 2012-13. Mr. Muire said the amount was 17% less in funding from the previous year and the required match was 25% of the project funds, or \$37,179. Mr. Muire said the match was expected to be obtained from other program eligible sources; otherwise, the County would be financially responsible for all or the remainder of the match amount.

Mr. Muire said Staff recommended the FY 2012-13 program to be administered by Hobbs, Upchurch and Associates. Mr. Muire said the application proposed to focus exclusively on housing rehabilitation in the County, excluding municipal jurisdictions.

Chairman Mitchell opened the public hearing to receive citizen input regarding the HOME Action Plan. With no one wishing to address the Board, Chairman Mitchell closed the public hearing.

Commissioner Sides moved to adopt the 2012-2013 HOME Action Plan, authorize the County Manager to sign the necessary paperwork for submittal, and authorize Staff and the County Manager to negotiate a contract with Hobbs and Upchurch to administer the County's HOME Program. Commissioner Ford seconded and the vote to approve the application for the HOME Action Plan passed unanimously.

6. CONSIDER BAN ON SMOKING AND USE OF TOBACCO PRODUCTS IN ROWAN COUNTY PARKS AND SET PUBLIC HEARING FOR FEBRUARY 20, 2012

Planning and Development Director Ed Muire said, as directed by the Board during regular session on January 17, 2012, Staff looked around the region and obtained examples of other ordinances and policies and applied the text to the existing Parks and Recreation Ordinance that is part of the Rowan County Code. Mr. Muire said the draft document resembled a similar ordinance adopted by the Cabarrus County Board of Commissioners in June 2011. Mr. Muire stated that NCGS §130A-498 was included as a reference giving local governments the authority to restrict smoking in public places.

Mr. Muire highlighted the proposed text.

Commissioner Sides made a motion to remove number 5 from Item (c) Signage, and number 3 from Item (d) Enforcement and Penalties in Section 16-44, which allowed the Parks Director to designate a smoking section for Park Personnel. The motion was seconded by Commissioner Ford and passed 4-1 with Commissioner Coltrain dissenting.

Commissioner Coltrain said the Parks Board had considered the matter on several occasions and the Parks Board did not feel that there was a problem. Commissioner Coltrain also referred to a previous public comment period where the speakers were not in support of the ban. Commissioner Coltrain felt the ban would create more government and he also felt the Commissioners were asking Parks Staff to become enforcement officers.

Commissioner Ford asked if towns in the County, other than Kannapolis, had an ordinance. Mr. Muire replied that he was not aware of any. Mr. Muire said Staff looked specifically at the ordinances of Cabarrus County, City of Kannapolis, City of Raleigh, City of Asheville, and Gaston County. Mr. Muire said that Raleigh and Asheville had provided for designated smoking locations.

Commissioner Ford asked Mr. Muire if Staff had looked at the DSS and Health Department policies that passed last June or July and Mr. Muire replied the Staff had not looked at these policies.

Commissioner Ford mentioned that the school system had policies for no tobacco on school grounds property.

Mr. Muire stated the various policies would be looked at and if there was anything substantive that could be added, it would be presented at the public hearing.

Chairman Mitchell said the issue itself did not come up at the Health Board Meeting; however, it was brought up that the Commissioners would consider the matter. No action was taken by the Health Board, but there was a general consensus to support the Commissioners' action. Chairman Mitchell said he would support a public hearing due to the amount of work that had gone into the matter, even though he did not support the development of the ordinance.

Commissioner Barber said he supported conducting a public hearing on the issue. Commissioner Barber said when the topic was placed on the January 17, 2012 agenda there were individuals who spoke during Public Comment Period and approximately 50% were in favor of a ban on smoking. Commissioner Barber said since January 17th he had received approximately ten (10) calls with only one in support of a tobacco ban. Commissioner Barber said a public hearing would be important for the Commissioners to receive feedback from citizens. Commissioner Barber encouraged citizens to contact Commissioners prior to the next meeting and also plan to speak at the public hearing.

Commissioner Sides moved to set the public hearing for the amended draft of the Smoking Ban. Commissioner Ford seconded and the motion passed unanimously.

CONSIDER FIRE PREVENTION AND PROTECTION ORDINANCE AND SET PUBLIC HEARING FOR FEBRUARY 20, 2012

Planning and Development Director Ed Muire said the draft Fire Prevention and Protection Ordinance (FPO) was referred to the Planning Board for study and recommendation by the Commissioners on September 6, 2011. Mr. Muire said Committee B of the Planning Board was tasked with studying the proposed ordinance on September 26 and had conducted three (3) meetings, one workshop, and one (1) courtesy hearing. Mr. Muire said the proposals, as they came from the Fire Marshal's Office, had evolved during the study process from a 25 page document into the current 4 to 5 page document. Mr. Muire said the pertinent facts, as stated by the Fire Marshal, were incorporated with the existing Rowan County Fire Code. Mr. Muire stated the item that garnered the greatest discussion was the idea of the civil penalty process versus misdemeanor citations.

Commissioner Coltrain moved, Commissioner Barber seconded and the vote to set a public hearing for FPO 01-11 for February 20, 2012 passed unanimously.

8. DISCUSSION REGARDING NOTICE OF RETIREMENT OF TAX ADMINISTRATOR

Commissioner Barber said Tax Administrator Jerry Rowland had recently submitted notice of his intent to retire, which would be effective June 30, 2012. Commissioner Barber praised Mr. Rowland as one of most experienced and tenured Tax Administrator's in the state. Commissioner Barber also commended the employees who work under Mr. Rowland's leadership.

Commissioner Barber said the Board had two (2) options. The first was to ask staff to start a professional process for the hiring of new Tax Administrator to replace Mr. Rowland. Commissioner Barber felt the process should probably start immediately. Commissioner Barber said the second option was for the Board to go back to selecting both a Tax Assessor and a Tax Collector. Commissioner Barber said either option was statutorily acceptable.

Commissioner Barber said he personally favored instructing staff to define a professional process to be brought back to the Board at its next meeting. Commissioner Barber said the individual should be in place by July 1st.

Commissioner Barber moved to instruct staff to develop a process for the Board based on the current qualifications contained in the job description and bring it back to the Board of Commissioners at the next meeting. Commissioner Coltrain seconded and asked Commissioner Barber for further clarification regarding the motion. Commissioner Barber responded he was asking staff to bring the process to the Board to approve at the next meeting.

Commissioner Coltrain asked Commissioner Barber why it was necessary for the Board to approve the process. Commissioner Barber compared the process to the one previously used in selecting a County Manager.

Commissioner Coltrain said he did not wish to hold up the process due to the position being vital.

Commissioner Sides felt the process followed in hiring a County Manager had worked well. Commissioner Sides said the Board had instructed Human Resources to present the job description for the County Manager to various media outlets, including the North Carolina Association of County Commissioners. Commissioner Sides said Human Resources had then reviewed and vetted the applications as to who was qualified and then provided the Board with a notebook of the qualified applicants. The Board selected the top three (3) candidates to interview. Commissioner Sides said there was no reason for Human Resources to develop a process for hiring a Tax Administrator when the process for hiring a County Manager had worked so well. Commissioner Sides said he would rather see the Board instruct staff to begin to advertise for the position in all media areas normally advertised. Commissioner Sides said he would recommend Human Resources establish the notebooks with the applications and set a closing date and move the process forward rather than wait.

Commissioner Barber then amended his motion to instruct Staff to begin the process based on the qualifications identified in the current job description. Commissioner Sides seconded the motion.

Chairman Mitchell repeated the motion to instruct Human Resources to follow the process used when hiring a County Manager. Chairman Mitchell said Human Resources would advertise, accept the applications, refer qualified applicants to the Board and the Board would make the selection.

Commissioner Sides mentioned the publication deadlines and suggested the Board establish a closing date for accepting the applications. Commissioner Sides also suggested providing a link in the job advertisements that would lead potential applicants to the County's website for further details regarding the job description.

Upon being put to a vote the motion passed unanimously.

9. CONSIDER APPROVAL FOR INSURANCE CLAIM AT FIELDCREST CANNON STADIUM

County Manager Gary Page recalled that in September 2011, the Board of Commissioners and the City of Kannapolis (City) agreed to terms for the sale of the Fieldcrest Cannon Baseball Stadium to the City. Mr. Page said staff had been working to secure a signed contract from the City.

Mr. Page said on November 16, 2011 the Stadium experienced roof damage from and wind and hail storm. Initially, the City asked the County to pay the \$25,000 insurance deductible and file a claim for an additional \$14,312 against the property insurance pool.

Mr. Page said he had discussed the matter extensively with the City over the past three (3) weeks. Mr. Page recommended the Board take \$25,000 from the \$312,395 Stadium Fund balance due the City with the sale, and pay the balance for the repairs of \$14,312 from the County's self-insurance pool.

Mr. Page said the balance due the City, with an executed agreement as recommended, is approximately \$287,395 plus accrued interest. The number to be used in the Stadium closing is \$288,415.

Commissioner Sides moved to allow a maximum of \$14,312; any additional over must come from Kannapolis or the Consortium Fund. Commissioner Sides said he was opposed to the request as he felt it should not have taken so long for the contract to be signed. Commissioner Sides said in the spirit of cooperation, he would go along with the motion for the \$25,000 and support the maximum of \$14,312 on the condition there would be no more charges to the County for the stadium and the contract must be signed. Commissioner Baber seconded the motion.

Commissioner Ford expressed hope that Kannapolis would sign the contract quickly. Commissioner Ford went on to say Rowan County did not receive any benefit from the stadium in the past year.

Commissioner Coltrain asked County Manager Page if this would be done tomorrow and Mr. Page's response was yes.

Upon being put to a vote, the motion on the floor passed unanimously.

CONSIDER AWARD OF NEW 911 CENTER BID

County Manager Gary Page said on December 13, 2011, Rowan County opened bids for construction of a new 911 Telecommunications Center. Mr. Page said the apparent lowest responsible bidder was Holden Construction Company of Greensboro, NC with a base bid of \$2,585,200.

Mr. Page said over the past six weeks, he and staff had been working with the architect and contractor to seek ways to lower the cost of construction. Mr. Page stated he had included in the Commissioners' packets a list of all of the bids received on December 13, 2011. Mr. Page stated that the first apparent low bidder was Sexton Construction Company, at approximately \$2.564 million; however, there was an issue with allowances, such as bad dirt, where all other bids contained an amount and Sexton's contained an equantity (amount of money per cubic yard). Mr. Page said there was a question as to whether the bid was proper, and a discussion followed with the County Attorney with a decision

to negotiate with the next lowest bidder, Holden Construction. Mr. Page said there was less than \$21,000 between the two lowest bids.

Mr. Page referred to the attachments in the agenda packet, which showed the contractors, architects, and staff cuts. Mr. Page stated that in Holden's base bid of \$2,585,200, with \$420,846 worth of cuts made, plus the equipment allowance left in, the bid would stand at \$2,179,354.

Mr. Page said the options were to award the bid, or reject all bids and bid the project again. The staff believed that rebidding would come in at the same \$2.18 million. Mr. Page stated the County would lose 30 days on construction if the project was rebid and there was also a timeline for utilizing some 911 monies by June 30, 2012.

County Attorney Dees said he was first contacted by attorneys for Holden with regard to the bids and a question about the recommendation of Sexton Construction as the low bid based on what was provided in the agenda packets. Mr. Dees referred to the allowance section in the bid. Mr. Dees said he reviewed the types of mistakes that could be waived and the way bids are worked through, and his conclusion and opinion were that with regard to the Sexton bid, the unit price should have been used to calculate the total bid. Mr. Dees said based on a general rule of interpretation, when unit prices and the aggregate extension of those unit prices do not match, the unit price is used. Mr. Dees went on to state that this contract also provided for credits and additional payments if the allowances do not flush out to be exact. Mr. Dees stated that in his opinion, had the contract been awarded to Sexton, it would be a mistake substantial enough to allow Sexton to withdraw the bid. Mr. Dees explained that the bidding statutes are designed to give the opportunity, after all the bids are open, to see what all the numbers are and determine whether to use the mistaken low bid or the actual unit price that was bid and using the higher price, withdraw, based on the mistake. Mr. Dees' opinion was that that type of mistake was substantial enough that the unit price should be used in calculating the bid. Mr. Dees recommended to Mr. Page and the architect to pursue the value engineering with Holden as low bid.

Mr. Dees asked the Chairman to give Mr. Sexton, of Sexton Construction, and Mr. Terrell, counsel with Holden Construction, an opportunity to address the Board.

Mr. Sexton, of Sexton Construction, addressed the Board by saying the company stood behind the bid. Mr. Sexton introduced James Bradshaw, a professional engineer with Sexton.

Mr. Bradshaw said on the front of the single prime contract bid form, the form provided potential bidders, under Important Notes (page 1), Low Bid, as determined to be the base bid, contingency allowances, specific item allowance,

and alternates. These items were to be added on page 2 and were added to Sextons' bid to an amount of \$2,599,500, which was the lowest of all the bids received on the project. On bid day, Sexton felt the bid form was both confusing and ambiguous, therefore the architect was called for clarification, and the bid form was filled out per the architects' instructions. Sexton said they contacted the author for clarification of the form. On December 16, Sexton Construction Company received an email from Mr. Page confirming the award of the project to Sexton Construction. To date this has been the only correspondence in formal documentation, received from the County to Sexton Construction. Due to the confusion by all parties involved Sexton was asking the County to take the time to review the bid form and ascertain that the bid form was confusing, at best, if looking at those allowance items. Sexton was requesting that the County award the project as Sexton was the lowest responsible bidder and if not, reject all bids and rebid the project.

Mr. Sexton pointed out that if the unit prices were looked at there was no third line to make the extensions for the math. Mr. Sexton said that was the biggest ambiguity and Sexton stood behind the bid. Mr. Sexton stated that, if awarded the project, Sexton would be ready to commence upon notice to proceed.

Mr. Dees clarified that there was not an issue with responsibility. Mr. Dees explained there had been clarification with the architect that both Sexton and Holden were responsible bidders and the architect had no problem working with either construction company. Mr. Dees said the only issue was with the bid amount that had been addressed, and both firms were qualified to handle this project.

Mr. Tom Terrell, with the law firm Smith, Moore, Leatherwood in Greensboro spoke representing Holden Construction Company. Mr. Terrell said the only question before the Board was whether one of these companies was the lowest responsible bidder. Mr. Terrell pointed out the number of companies that submitted bids for the project and he said all firms figured out how to fill out the form, except one. Mr. Terrell said that Sexton Construction used unit pricing in one part of the contract and then omitted unit pricings from the grand total. Mr. Terrell stated that when totaled up, the grand total was higher than what Holden Construction had submitted.

Commissioner Sides said the real question, looking at page 3 and page 4 under Sexton Construction, had to do with the fact that under unit price allowance 1 (20 cubic yards), the bid contained \$44 per cubic yard, and was not calculated out and added up. The bid contained a subtotal of \$135,000 but when calculated out and totaled up it came to \$227,760.

Mr. Page said the bid went from \$20,000 lower to \$100,000 higher.

Commissioner Ford asked Mr. Page if the County was in danger of losing 911 funds if the project was delayed and Mr. Page said no. Mr. Page said there was \$590,000 that could be spent between now and June 30 toward the project. Mr. Page said that for every month delayed, the County lost \$125,000. Mr. Page said \$220,000 of the funds would be used to move dirt. Mr. Page said if you lose 30 days, you might lose \$125,000 in grant money that would have to be made up elsewhere.

Mr. Page said one other clarification he wanted to make was that he only gave the two (2) pages showing base bid and things to add, not the alternates, because the base bid was not affordable. Mr. Page said he figured the alternates would not be done.

Commissioner Sides moved to accept the Holden Building bid in the amount of \$2,179,354. Commissioner Ford seconded and the motion passed unanimously.

Chairman Mitchell called for recess at 4:06 pm.

Chairman Mitchell reconvened the meeting at 4:12 pm.

11. DISCUSSION REGARDING FEDERAL ISSUES TO SUBMIT TO NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS

Chairman Mitchell said the North Carolina Association of County Commissioners (NCACC) was soliciting the help of counties in identifying federal issues of statewide importance to all counties.

Chairman Mitchell asked the Board to submit recommendations to the Clerk who would compile the information for discussion at the next Board meeting.

(Chairman Mitchell clarified later in the meeting the deadline for submitting topics to the NCACC was Friday, February 10, 2012. Chairman Mitchell said if Commissioners had any suggestions to forward them to the Clerk).

12. CONSIDER EXTENSION OF EXISTING CELL TOWER LEASE

County Manager Gary Page reported that Crown and Associates had requested the County grant them an extension on their current lease, which was signed in 2003 for thirty (30) years. Mr. Page said the company was nine (9) years into the lease and wished to extend the lease for four (4) additional five-year terms, or 20 years through 2053.

Mr. Page reviewed the information in the agenda packet that explained the terms the company was seeking. Mr. Page stated that he talked with other managers and heard counties were receiving \$2000 per month, plus 3% every year that compounds. Mr. Page also reviewed the proposed counter offer.

Mr. Page said if the Board agreed he would send an email tomorrow with the proposed increase and see if that would suffice and if not, they could counter and he would return with the counter to the Board.

Commissioner Sides made a motion to accept the County Manager's proposal and submit it to the company. The motion was seconded by Commissioner Barber.

Commissioner Coltrain said he did not wish for the County to appear greedy and to scare the company away after 2033. Commissioner Coltrain asked who paid for putting up the towers for those that were receiving \$2000 per month. Mr. Page said those receiving \$2000 per month were utilizing a tower owned by a municipality or a water tank that was already paid for. Mr. Page said in this case the company was renting a piece of property and trying to pay off their own monopole tower.

Commissioner Ford brought up the fact that the company owns the tower and they have the right to add additional antennas and charge more money.

Mr. Page said with a monopole the companies were limited as to how many tenants they can add due to the weight.

Mr. Page said he would try to convey to the company the County was negotiating.

Upon being put to a vote, the motion passed unanimously.

13. CONSIDER APPROVAL OF COMMITMENT LETTER TO ROWAN SALISBURY BOARD OF EDUCATION FOR CENTRAL OFFICE

County Manager Gary Page said the Rowan Salisbury Board of Education (BOE) had requested a letter indicating the Commissioners' commitment for up to \$6 million towards efforts to locate and build a new administrative central office for Rowan Salisbury Schools (RSS).

Commissioner Coltrain moved approval of the letter and giving the Chairman permission to sign today. Commissioner Barber seconded the motion.

Commissioner Sides said he was taken by surprise by the Commissioners' decision at the last Board meeting. Commissioner Sides said he thought the Board would perform its due diligence as indicated by the North Carolina General Statutes in establishing the need for the central office. Commissioner Sides said the need was based on the request for a 62,000 square foot building for approximately 167 employees, 41 of which were not in the office every day. Commissioner Sides said he did not feel the 62,000 was warranted and that he would not vote in favor of giving the letter to the school system.

Commissioner Ford said he would be okay with \$5 million. Commissioner Ford said he understood the Board of Education had officially been offered free land in the southern end of the County and the Mayor of China Grove had said the Town would help in any way. Commissioner Ford stated he also heard, unofficially, from the Town of Spencer concerning available space in the strip mall in Spencer. Commissioner Ford mentioned other options as well. Commissioner Ford said if the commitment letter had stated \$5 million instead of \$6 million he would vote to approve the letter.

Commissioner Mitchell stated that the \$6 million figure would fund approximately 45,000 square feet at \$131 per square foot. Chairman Mitchell said if the figure dropped to \$5 million it would not fund the 45,000 square feet, which in previous discussions was the need that was established.

The motion passed 3-2 with Commissioners Sides and Ford dissenting.

14. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Emergency Services – Post received revenues for purchase of expendable materials for Hazardous Materials Responses - \$544
- Health – For new CC4C – Social Worker II position. Funds for new computer and telephone. Salary and fringe benefits for 10 pay periods for remainder of FY 2011-12 - \$21,080
- Finance – To appropriate revenues, restricted fund balance and expenditures for the construction of two miniature golf courses at Dan Nicholas Park. The Board of Commissioners awarded a contract to Harris Miniature Golf Courses at a cost not to exceed \$177,900 on January 17, 2012. \$17,100 has been added to the budget for grading and other expenses - \$195,000
- Sheriff – Recognize excess revenue and budget to proper expense account - \$15,043
- Finance – To recognize FY 2012 State Criminal Alien Assistance Program grant funds received and budget in appropriate revenue and expenditure accounts - \$14,874
- Finance – To appropriate funds for the purchase of fifty APX6000 portable radios for the City of Salisbury and to reallocate funds within the Communications Project - \$750,000
- Finance – To appropriate fund balance and expenditures for the close of the Sports Authority Fund - \$313,416
- Finance – To appropriate fund balance and expenditures for design of the site work for a new 100' x 150' hangar at the Airport - \$100,000

Commissioner Ford referenced the budget amendment for the radio purchase and asked if the County would get the used radios or trade in value for City of

Salisbury. Commissioner Ford said some of the figures on the pages following that budget amendment did not add up.

County Manager Page said it was a standard that any volunteer fire department the County bought radios for, would turn in the same amount of radios for distribution to another municipal police department.

Commissioner Sides said there needed to be clarification on the \$325,000 divided by 50 radios and coming up with \$6500 per radio. Commissioner Sides said the description did not match price.

At Chairman Mitchell's request, Ms. Ms. Heidrick reviewed the line item for the radios.

Commissioner Barber referred to the budget amendment regarding the appropriation of \$100,000 for the airport hangar. Commissioner Barber asked if there were any firm commitments for the hangar. County Manager Gary Page responded no

Chairman Mitchell said that based on the number of inquiries that are received the new hangar is warranted.

Mr. Page said the Airport Advisory Board, based on experience and inquiries, noted that if the County built a hangar "they would come". Mr. Page said the County had only committed \$100,000 to draw the plans, where some of the Airport Board members had wanted a commitment to build the hangar.

Commissioner Barber stated he did not support it on November 21 and would not support it today.

Commissioner Sides moved approval of all of the budget amendments as presented except for the airport. The motion was seconded by Commissioner Ford and passed unanimously.

Commissioner Sides moved approval of the budget amendment related to the airport. Commissioner Coltrain seconded and the motion passed 4-1 with Commissioner Barber dissenting.

15. CONSIDER APPROVAL OF BOARD APPOINTMENTS **JUVENILE CRIME PREVENTION COUNCIL**

Alisa Russell has submitted an application for consideration for an at large slot.

The term would be for two years beginning February 1, 2012 and expiring June 30, 2014.

Nathan Currie has submitted an application to serve as the Rowan Salisbury School System (RSSS) Superintendents' designee replacing Dr. Walter Hart, who is no longer with RSSS.

Commissioner Ford moved to delay the JCPC appointments due to upcoming possible funding cuts from the State.

Commissioner Sides seconded.

Commissioner Coltrain said regardless of potential funding cuts, the County Board still needed to function and if there were people willing to volunteer their time, he did not agree in delaying the appointments.

Commissioner Barber agreed that we have a difficult enough time getting people to serve on boards and when we have people that want to serve he would let them serve.

The motion passed 3-2 with Commissioners Barber and Coltrain dissenting.

ROWAN COUNTY THERAPEUTIC RECREATION

Dr. Lane Graham has resigned and James Wagner has submitted an application for consideration for the unexpired term.

Commissioner Sides moved and Commissioner Barber seconded and the vote to accept Dr. Graham's resignation passed unanimously.

Commissioner Barber nominated James Wagner and the nomination passed unanimously.

ROWAN COUNTY RESCUE SQUAD

Lawrence Helms resigned and the following applications were submitted for consideration for the unexpired term:

- Melanie Earle
- Mary Ponds
- Vincent F. Mellone, Jr.

The term expires December 31, 2013.

Commissioner Barber nominated Mary Ponds.

Commissioner Sides nominated Melanie Earle.

The vote for Mary Ponds was 2-3 with Commissioners Sides, Ford and Mitchell dissenting.

The vote for Melanie Earle was 3-2 with Commissioners Barber and Coltrain dissenting.

Ms. Earle was appointed.

CENTRALINA ECONOMIC DEVELOPMENT COMMISSION (CEDC)

The CEDC submitted a request to reappoint Jeanie Moore.

The term would be for three (3) years and expire January 31, 2015.

Rowan County is entitled to appoint two (2) members to serve on the CEDC Board; preferable one elected official and one member from the private sector. Robert Van Geons currently serves as Rowan County's appointee from the private sector. The CEDC is requesting the reappointment of Jeanie Moore, who was previously appointed to serve as the designee for the elected official's position.

Commissioner Coltrain nominated Jeanie Moore.

Commissioner Ford said Rowan County did not currently have an elected official serving on the CEDC.

Economic Development Director Robert Van Geons said several years ago, the Board of Commissioners at that time were unable to attend the CEDC quarterly meetings in Charlotte. The Board had felt that it would be better to appoint someone who could attend. Mr. Van Geons said the ideal template was to have a County Commissioner or elected official and one member of the private sector.

The motion for Jeanie Moore to serve passed unanimously.

16. ADJOURNMENT

There being no further business to come before the Board, Commissioner Coltrain moved to adjourn at 4:39 pm. The motion was seconded by Commissioner Sides and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board/
Assistant to the County Manager